

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY**

CREIGHTON TAKATA, individually
and on behalf of all others similarly
situated,

Plaintiff,

V.

RIOT BLOCKCHAIN, INC. F/K/A,
BIOPTIX, INC., JOHN O’ROURKE,
and JEFFREY G. MCGONEGAL,

Defendants.

C.A. No. 3:18-cv-2293

**[PROPOSED] ORDER
GRANTING THE KLAPPER,
RANA AND ESTOESTA
GROUP’S MOTION FOR
PARTIAL RECONSIDERATION
AND AMENDMENT TO THE
ORDER APPOINTING LEAD
PLAINTIFF (ECF NO. 40)**

MOTION DATE: Jan. 7, 2019

JOSEPH J. KLAPPER, JR., individually
and on behalf of all others similarly
situated,

Plaintiff,

V.

RIOT BLOCKCHAIN, INC. F/K/A,
BIOPTIX, INC., JOHN O'ROURKE, and
JEFFREY G. MCGONEGAL,

Defendants.

C.A. No. 3:18-cv-8031

Having considered the papers filed in support of the Motion of class members Joseph J. Klapper, Jr., Ashish Rana, and Sonia C. Estoesta (the “Klapper Movants”) for partial reconsideration and amendment to this Court’s November 6, 2018 Order (ECF No. 40) (the “Lead Plaintiff Order”) pursuant to Local Rule 7.1(i) and Rules

59(e) and 60(b)(1) of the Federal Rules of Civil Procedure, and for good cause shown, the Court hereby enters the following Order:

1. The Klapper Movants' Motion for Reconsideration and Amendment is hereby **GRANTED**;
2. Paragraphs 3–5 of the Lead Plaintiff Order are amended to read as follows:

“3. The Klapper Movants are hereby appointed as Lead Plaintiff in the Consolidated Actions;
4. The law firm of Levi & Korsinsky, LLP is hereby appointed as Lead Counsel in the Consolidated Actions;
5. The motions filed by Lee Movants (ECF No. 14), Golovac (ECF No. 17), and Alam (ECF No. 10) are **DENIED.**”

SO ORDERED.

DATED: _____

HONORABLE FRED A. WOLFSON
UNITED STATES DISTRICT JUDGE